

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 5:09CR400
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
SCOTT GRAHAM,)	MEMORANDUM OPINION
)	AND ORDER
DEFENDANT.)	

This matter is before the Court upon Magistrate Judge George J. Limbert's Report and Recommendation that the Court ACCEPT Defendant Scott Graham's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 8).

On September 10, 2009, the Government filed an information against Defendant. (Dkt. # 1). On September 11, 2009, this Court issued an order assigning this case to Magistrate Judge Limbert for the purpose of arraignment and receiving Defendant's guilty plea. (Dkt. # 2). Defendant waived indictment. (Dkt. # 6).

On September 30, 2009, a hearing was held in which Defendant entered a plea of guilty to the sole count of the Information, illegal interception of wire and electronic communications in violation of 18 U.S.C. § 2511(1)(a). Magistrate Judge Limbert received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty.

(Dkt. # 8).

Neither party objected to Magistrate Judge Limbert's R&R in the ten days after it was issued.

On *de novo* review of the record, Magistrate Judge Limbert's R&R is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of illegal interception of wire and electronic communications in violation of 18 U.S.C. § 2511(1)(a). The sentencing will be held on February 10, 2010, at 10:00 a.m.

IT IS SO ORDERED.

/s/ Peter C. Economus - November 17, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE